

AUG 11 2004

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August 11, 2004

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Commissioner For Patents	703-872-9306	U.S. Patent and Trademark Office Alexandria, VA

Catherine E. Fienning

FROM

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PAGES (WITH COVER)

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REFERENCE NO

37070/293555

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The U.S. Patent and Trademark Office is asked to acknowledge receipt of the following:

1. Transmittal Form PTO/SB/21
2. Request For Refund including copy of check no. 358979 and Written Assertion Of Entitlement To Small Entity Status

Applicants: Steve J.D. Bell

U.S. Application No.: 10/824,097

Entitled: *Methods Of Manufacture And Use Of Calcium Phosphate Particles  
Containing Allergens*

Examiner: Not Assigned

Art Unit: 1615

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PTO/SB/21 (04-04)

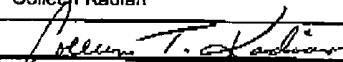
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/824,097	
	Filing Date	April 13, 1004	
	First Named Inventor	Steve J.D. Bell	
	Art Unit	1615	
	Examiner Name	Not Assigned	
Total Number of Pages in This Submission	5	Attorney Docket Number	37070/293555

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input checked="" type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>copies of check no. 358979 and Written Assertion Of Entitlement To Small Entity Status</b>
Remarks <div style="text-align: center; font-size: 2em; opacity: 0.5;">OFFICIAL</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Catherine E. Fienning, Reg. No. 54,095 Kilpatrick Stockton LLP
Signature	
Date	August 11, 2004

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Colleen Kadlan	Date	August 11, 2004
Signature		Date	August 11, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 162 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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AUG 11 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Steve J.D. Bell

Serial No. 10/824,097

Filing Date: April 13, 2004

For: Methods Of Manufacture And Use Of  
 Calcium Phosphate Particles Containing Allergens )

**OFFICIAL**

) Examiner: Not Assigned

) Art Unit: Not Assigned

) Docket: 37070/293555

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*Colleen Kadian*  
 Colleen Kadian

**REQUEST FOR REFUND**

Sir:

Applicant submitted the above-identified patent application to the U.S. Patent and Trademark Office on April 13, 2004. At the time of filing applicant neglected to claim the small entity status to which it is entitled. A Written Assertion Of Entitlement To Small Entity Status was filed in the U.S. Patent and Trademark Office on August 10, 2004, a copy of which is enclosed.

Applicant respectfully requests a refund of \$439. This amount represents one-half of the large entity filing fees paid on April 13, 2004 in association with filing the application. Included with the April 13, 2004 filing of the application was check no. 358979 in the amount of \$878, a copy of which is enclosed. This check included payment of \$770, the application filing fee for a large entity; and \$108, the large

REQUEST FOR REFUND

In re Application of: Steve J.D Bell

U.S. Patent Application No.: 10/824,097

Page 2

entity fee for filing six extra claims in excess of twenty. Applicants respectfully request that the Commissioner apply the \$439 refund to Deposit Account No. 11-0855.

Respectfully submitted,



Catherine E. Fienning, Reg. No. 54,095  
Attorney for Assignee

KILPATRICK STOCKTON LLP  
1100 Peachtree Street, Suite 2800  
Atlanta, Georgia 30309  
Phone: 404-532-6938

## KILPATRICK STOCKTON LLP

WACHOVIA ACCOUNT NO: 2000131592388

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CHECK #: 358979

REF. #	G/L #	INVOICE #	INV. DATE	DESCRIPTION	AMT. PAID
599318	20999010000000000	041304D	04-13-04	293555 Commissioner for Patents: Filing Application with extra claims	878.00
TOTAL					878.00

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KILPATRICK STOCKTON LLP

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